MICHIGAN HOUSE OF REPRESENTATIVES

DAILY CALENDAR

WEDNESDAY, DECEMBER 10, 1997 10:00 a.m.

REPORTS OF STANDING COMMITTEES ____ 1 _____ HCR 69 Rep. Palamara A concurrent resolution to urge the President of the United States to designate the Detroit River as an American Heritage River. (Reported by Committee on House Oversight and Ethics.) (For text of resolution, see House Journal No. 79, p. 2136; laid over 1 day December 9.) **HR** 75 Rep. Godchaux A resolution to memorialize the Congress of the United States to redirect some military spending to the states to enable them to meet domestic needs. (Reported by Committee on Appropriations.) (For text of resolution, see House Journal No. 54, p. 1164; laid over 1 day December 9.) (For proposed House amendments, see House Journal No. 95, p. 2565.) HCR 44 Rep. Godchaux A concurrent resolution to memorialize the Congress of the United States to redirect some military spending to the states to enable them to meet domestic needs. (Reported by Committee on Appropriations.) (For text of resolution, see House Journal No. 54, p. 1167; laid over 1 day December 9.)

MESSAGES FROM THE SENATE

HB 4091 Rep. Curtis

No. 95, p. 2565.)

Single business tax; credit; tax credit for donations to food banks, homeless shelters, and community foundations; eliminate sunset.

(For proposed House amendments, see House Journal

Amends sec. 38c of 1975 PA 228 (MCL 208.38c).

(Returned from Senate with substitute (S-2) and immediate effect; laid over 1 day October 8.)

(I.E. House, March 13, 1997.)

(For Senate substitute (S-2), see Blue Book.)

*Appropriation Bill—House Rule 49. †Constitution, Art. IV, Sec. 26. #House Rule 49.

MESSAGES FROM THE SENATE

SB 716 Sen. Bullard 5

Sales tax; collections; sale of prepaid telephone calling cards and authorization numbers; include as sale at retail.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

(Returned from Senate with amendment to House amendment and immediate effect November 13; postponed for the day December 9.)

(I.E. House, November 13, 1997.)

(For House amendment, see House Journal No. 91, p. 2410.)

(For proposed Senate amendment, see House Journal No. 91, p. 2424.)

___ 6 ____

HB 5228 Rep. Gire

Education; examinations; changes to state endorsement program; provide for in school code.

Amends sec. 1279 of 1976 PA 451 (MCL 380.1279) & adds sec. 1279a.

(Returned from Senate with substitute (S-6) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 15, 1997.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-6), see Blue Book.)

HB 5229 Rep. Schauer

Education; examinations; changes to state endorsement program; provide in school aid act.

Amends sec. 104a of 1979 PA 94 (MCL 388.1704a).

(Returned from Senate with substitute (S-4) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 15, 1997.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-4), see Blue Book.)

HB 5230 Rep. Jelinek

Education; examinations; high school proficiency test results; allow school districts to omit results of 11th graders in reporting.

— 8 ———

Amends sec. 1379f of 1976 PA 451 (MCL 380.1279f).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 15, 1997.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

MESSAGES FROM THE SENATE

— 9 ———

HB 5232 Rep. Dalman

Education; attendance; postsecondary enrollment options; revise to allow for certain changes in state endorsement program.

Amends sec. 3 of 1996 PA 160 (MCL 388.513).

(Returned from Senate with substitute (S-2) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 15, 1997.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

HB 5233 Rep. Agee

Education; examinations; MEAP and high school proficiency test scores; require to be used as indicator in school improvement process.

Amends sec. 1277 of 1976 PA 451 (MCL 380.1277).

(Returned from Senate with substitute (S-1) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 15, 1997.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-1), see Blue Book.)

- 11 -----

HB 5234 Rep. LeTarte

Education; examinations; high school proficiency test results; require to be used as criteria for accreditation and require criteria to include multiple year changes in those results.

Amends sec. 1280 of 1976 PA 451 (MCL 380.1280).

(Returned from Senate with substitute (S-2) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 15, 1997.)

(For Senate substitute (S-2), see Blue Book.)

- 12 -----

HB 5235 Rep. Kilpatrick

Education; examinations; MEAP and HSPT test relationship and remediation; revise and require certain special assistance for pupils with unsatisfactory MEAP results.

Amends sec. 1282 of 1976 PA 451 (MCL 380.1282).

(Returned from Senate with substitute (S-2) and immediate effect; laid over 1 day December 9.)

(I.E. House, November 16, 1997.)

(For House substitute (H-1), see Blue Book.)

(For Senate substitute (S-2), see Blue Book.)

THIRD READING

____ 13 _____

HB 4147 Rep. Kelly

Transportation; funds; transfers of funds from the Michigan transportation fund to agencies other than the state transportation department or commission; eliminate.

Amends sec. 10 of 1951 PA 51 (MCL 247.660).

(Reported by Committee on Transportation.)

(For House amendments, see House Journal No. 21, p. 353.)

THIRD READING

— 14 ——

HB 4304 Rep. Baird

Income tax; credit; donations to arts and education facilities or organizations; provide for credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 266.

(Reported by Committee on Tax Policy.)

(For House substitute (H-2), see Blue Book.)

(For House amendments, see House Journal No. 71, p. 1932.)

____ 15 _____

HB 4889 Rep. Brater

Financial institutions; other; fee disclosure for automatic teller machines; require.

Amends 1996 PA 354 (MCL 487.3101 - 487.3804) by adding sec. 513.

(Reported by Committee on Commerce.)

(Read a third time; defeated; vote reconsidered; postponed for day October 22.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82, p. 2178.)

HB 4890 Rep. Thomas

Financial institutions; banks; fee disclosure for automatic teller machines; require.

Amends 1969 PA 319 (MCL 487.301 - 487.598) by adding sec. 247.

(Reported by Committee on Commerce.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82, p. 2178.)

____ 17 _____

HB 4891 Rep. Brater

Financial institutions; credit unions; fee disclosure for automatic teller machines; require.

Amends 1925 PA 285 (MCL 490.1 - 490.31) by adding sec. 32.

(Reported by Committee on Commerce.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82, p. 2177.)

_____ 18 _____

HB 4892 Rep. Thomas

Financial institutions; savings and loan associations; fee disclosure for automatic teller machines; require.

Amends 1980 PA 307 (MCL 491.102 - 491.1201) by adding sec. 1135.

(Reported by Committee on Commerce.)

(For House substitute (H-5), see Blue Book.)

(For House amendment, see House Journal No. 82, p. 2177.)

DECEMBER 10, 1997 THIRD READING — 19 ——— **HB** 5096 Rep. Dalman Higher education; financial aid; high school proficiency test scores; require higher education assistance authority to consider in scholarship grant process. Amends sec. 3 of 1964 PA 208 (MCL 390.973). (Reported by Committee on Colleges and Universities.) (Read a third time; postponed temporarily October 30.) (For House substitute (H-2), see Blue Book.) (For House amendment, see House Journal No. 86, p. 2244.) ____ 20 _____ **HB 4916** Rep. Profit Liquor; licenses; township attorneys; include in the exemption in the statutory provision prohibiting law enforcement officers from holding liquor licenses. Amends sec. 18 of 1933 (Ex Sess) PA 8 (MCL 436.18). (Reported by Committee on Regulatory Affairs.) (Read a third time; postponed for day November 13.) (For House substitute (H-1), see Blue Book.) _____ 21 ____ 566 Sen. Van Regenmorter Courts; court of appeals; certain fees; increase. Amends sec. 321 of 1961 PA 236 (MCL 600.321). (Reported by Committee on Judiciary.) (Read a third time; postponed for day December 9.) (For House amendments, see House Journal No. 81, p. 2166.) SECOND READING _____ 22 _____ ***HB 4425** Rep. Hood Appropriations; zero budget; department of community health; provide for fiscal year 1997-1998. (Reported by Committee on Appropriations.) (For proposed House substitute (H-2), see Blue Book.) ____ 23 _____ (Not eligible to be read a third time until December 13.) *SB 252 Sen. Gast Appropriations; zero budget; department of natural resources; provide for fiscal year 1997-1998. (Reported by Committee on Appropriations.) (For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

SECOND READING

____ 25 _____

HB 4463 Rep. Willard

Income tax; credit; dependent care credit; provide for. Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding

(Reported by Committee on Tax Policy.)

(For proposed House amendment, see House Journal No. 24, p. 446.)

____ 26 _____

HB 4582 Rep. Gire

Consumer credit and protection; other; procedures for awarding certain prizes or gifts; allow certain state and local officials to enforce.

(Reported by Committee on Regulatory Affairs.)

____ 27 ____

HB 4583 Rep. Law

Consumer credit and protection; other; procedures for awarding certain prizes or gifts; establish and provide penalties.

(Reported by Committee on Regulatory Affairs.) (For proposed House amendment, see House Journal No. 37, p. 749.)

_____ 28 _____

SB 57 Sen. Smith

Corrections; prisoners; uniforms; require.

Amends sec. 42 of 1893 PA 118 (MCL 800.42).

(Reported by Committee on Corrections.)

(For Senate substitute (S-8), see Blue Book.)

— 29 ———

HB 4210 Rep. Wetters

Vehicles; equipment; ignition interlock device; require installation of in vehicles of certain individuals.

Amends secs. 204a, 322, 625b, 625h, 625k & 625*l* of 1949 PA 300 (MCL 257.204a et seq.) & adds secs. 622a, 625n, 625o & 625p.

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-6)*, see Blue Book.)

30 —

HB 4672 Rep. Profit

Aeronautics; other; fuel tax rebate; expand provision to include air cargo carriers.

Amends sec. 203 of 1945 PA 327 (MCL 259.203).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-2), see Blue Book.)

____ 31 _____

HB 4163 Rep. Dalman

Sales tax; exemptions; materials used to construct or repair a church or house of worship; exempt.

Amends sec. 1 of 1933 PA 167 (MCL 205.51).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

____ 32 _____

HB 4743 Rep. Profit

Use tax; exemptions; property sold to contractor for remodeling or construction of a church; provide for exemption

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4m.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

33 —

HB 4152 Rep. Ouarles

Income tax; deductions; deduction for certain health insurance premiums; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30) & repeals secs. 30a, 30b & 30c of 1967 PA 281 (MCL 206.30a et seq.).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-4), see Blue Book.)

_____ 34 _____

HB 4204 Rep. Schroer

Property; other; information regarding under-surface minerals and mineral rights; require to be disclosed under seller disclosure law.

Amends sec. 7 of 1993 PA 92 (MCL 565.957).

(Reported by Committee on Forestry and Mineral Rights.)

(Read a second time; substitute (H-2) adopted; substitute (H-4) offered; postponed for day November 4.)

(For House substitute (H-2), see Blue Book.)

(For proposed House substitute (H-4), see Blue Book.)

____ 35 _____

HB 4535 Rep. Griffin

Occupations; architects, professional engineers, and surveyors; certain individuals preparing interior design; exempt from licensure under certain circumstances.

Amends sec. 2012 of 1980 PA 299 (MCL 339.2012).

(Reported by Committee on Regulatory Affairs.)

(For proposed House substitute (H-2), see Blue Book.)

— 36 ———

HB 4719 Rep. Griffin

Liquor; manufacture; microbrewers; allow to obtain class C license under certain circumstances.

Amends sec. 31 of 1933 (Ex Sess) PA 8 (MCL 436.31).

(Reported by Committee on Commerce.)

(For proposed House substitute (H-1), see Blue Book.)

— 37 **—** —

HB 4984 Rep. Freeman

Consumer credit and protection; home solicitation sales; transaction validation requirements for telemarketers; establish.

Amends sec. 3 of 1971 PA 227 (MCL 445.113).

(Reported by Committee on Consumer Protection.)

(Read a second time; substitute (H-1) adopted; amendment offered; postponed temporarily October 29)

(For House substitute (H-1), see Blue Book.)

(For proposed House amendment, see House Journal No. 85, p. 2236.)

SECOND READING

— 38 ———

HB 5080 Rep. Gagliardi

Education; calendar; school year; require to start after labor day.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1284b.

(Reported by Committee on Tourism.)

(For proposed House substitute (H-1), see Blue Book.)

____ 39 _____

HB 4065 Rep. Bankes

Crimes; controlled substances; flunitrazepam (rohypnol) and methaqualone; classify as schedule 1 controlled substances and prohibit delivery of certain controlled substances to commit or attempt criminal sexual conduct.

Amends secs. 7212, 7401 & 7403, 1978 PA 368 (MCL 333.7212 et seq.) & adds sec. 7401a.

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-7), see Blue Book.)

HB 4474 Rep. Profit

Transportation; carriers; penalties for certain safety violations; revise.

Amends title & secs. 1a, 7, 7b & 7c of 1963 PA 181 (MCL 480.11a et seq.).

(Reported by Committee on Transportation.)

(For proposed House substitute (H-1), see Blue Book.)

SB 717 Sen. Bullard

Sales tax; exemptions; certain beverages sold from a vending machine or mobile facility; make exemption retroactive to 1993 and prohibit refunds.

Amends sec. 4g of 1933 PA 167 (MCL 205.54g).

(Reported by Committee on Tax Policy.)

(For Senate substitute (S-1), see Blue Book.)

42 —

HB 4801 Rep. Anthony

Education; teachers; background checks for employment of substitute teachers; allow coordination of lists by school districts and make other revisions.

Amends sec. 1230b of 1976 PA 451 (MCL 380.1230b).

(Reported by Committee on Education.)

(For proposed House substitute (H-1), see Blue Book.)

SB 3 Sen. Bouchard

Controlled substances; other; drug-free park zones; provide for

Amends sec. 7410, 1978 PA 368 (MCL 333.7410).

(Reported by Committee on Judiciary.)

(For proposed House amendments, see House Journal No. 81, p. 2165.)

(For Senate substitute (S-2), see Blue Book.)

— 44 ———

HB 5261 Rep. DeVuyst

Natural resources; gas and oil; charges for postproduction costs; regulate.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503b.

(Reported by Committee on Forestry and Mineral Rights.)

(For proposed House substitute (H-2), see Blue Book.)

HB 5262 Rep. DeVuyst

Natural resources; gas and oil; gas leases; provide certain responsibilities of lessees.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503a.

(Reported by Committee on Forestry and Mineral Rights.)

(For proposed House substitute (H-2), see Blue Book.)

— 46 ———

HB 4964 Rep. Wallace

Crimes; penalties; 93-day imprisonment for local ordinance violation; authorize.

Amends sec. 4i of 1909 PA 279 (MCL 117.4i).

(Reported by Committee on Local Government.)

(For proposed House substitute (H-1), see Blue Book.)

HB 4965 Rep. Profit

Crimes; penalties; 93-day imprisonment for local ordinance violation; authorize.

Amends sec. 21 of 1947 PA 359 (MCL 42.21).

(Reported by Committee on Local Government.)

(For proposed House substitute (H-1), see Blue Book.)

HB 4966 Rep. Curtis

Crimes; penalties; 93-day imprisonment for local ordinance violation; authorize.

Amends sec. 3 of 1945 PA 246 (MCL 41.183).

(Reported by Committee on Local Government.)

(For proposed House substitute (H-1), see Blue Book.)

— 49 **———**

HB **4967** Rep. Kilpatrick

Crimes; penalties; 93-day imprisonment for local ordinance violation; authorize.

Amends sec. 24 of 1909 PA 278 (MCL 78.24).

(Reported by Committee on Local Government.)

(For proposed House substitute (H-1), see Blue Book.)

___ 50 _____

HB 4968 Rep. Schauer

Crimes; penalties; 93-day imprisonment for local ordinance violation; authorize.

Amends sec. 2, ch. VI of 1895 PA 3 (MCL 66.2).

(Reported by Committee on Local Government.)

(For proposed House substitute (H-1), see Blue Book.)

SECOND READING

____ 51 _____

HB 4061 Rep. Bobier

Natural resources; gas and oil; unification of surface and mineral rights; encourage.

Amends secs. 503 & 2132, 1994 PA 451 (MCL 324.503 & 324.2132) & adds pt. 610.

(Reported by Committee on Forestry and Mineral Rights.)

(For proposed House substitute (H-2), see Blue Book.)

____ 52 _____

HB 4837 Rep. Baird

Criminal procedure; evidence; spousal privilege; exempt for certain offenses involving minors under the care, custody, or authority of 1 spouse.

Amends sec. 2162 of 1961 PA 236 (MCL 600.2162).

(Reported by Committee on Judiciary.)

(For proposed House amendment, see House Journal No. 85, p. 2238.)

____ 53 _____

SB 642 Sen. Bouchard

Environmental protection; incinerators; prohibition of solid waste incinerators located within 1,000 feet of a residence, school, hospital, or nursing home; delete sunset.

Amends sec. 5502 of 1994 PA 451 (MCL 324.5502).

(Reported by Committee on Conservation, Environment and Recreation.)

(For Senate amendments, see Senate Journal No. 75. p. 1530.)

____ 54 _____

HB 4975 Rep. Profit

Housing; landlord and tenants; storage or disposition of personal property left by vacating tenant; create lien for costs of removal and storage.

Amends 1972 PA 348 (MCL 554.601 - 554.616) by adding sec. 1b.

(Reported by Committee on Commerce.)

(For proposed House substitute (H-5), see Blue Book.)

____ 55 _____

HB 5211 Rep. Profit

Economic and industrial development; enterprise zones; filing application for neighborhood enterprise zone designation before issuance of building permit; eliminate.

Amends sec. 4 of 1992 PA 147 (MCL 207.774).

(Reported by Committee on Urban Policy and **Economic Development.**)

HB 4536 Rep. Profit

Aeronautics; airport authority; formation of airport authority; include a university, community college, an Indian tribe, and the Michigan aeronautics commission as eligible entities.

Amends title & secs. 1, 3, 4, 7, 8 & 11 of 1957 PA 206 (MCL 259.621 et seq.).

(Reported by Committee on Transportation.) (For proposed House substitute (H-1), see Blue Book.)

SECOND READING — 57 —— **HB** 4651 Rep. Schroer Traffic control; speed restrictions; designation of speed limits on unpaved gravel roads; provide counties authority Amends sec. 628 of 1949 PA 300 (MCL 257.628). (Reported by Committee on Transportation.) (For proposed House substitute (H-2), see Blue Book.) ____ 58 ____ **HB** 4184 Rep. Gire Elections; voters; election by mail; implement. Amends sec. 726 of 1954 PA 116 (MCL 168.726) & adds secs. 750a & 750b. (Reported by Committee on Local Government.) (For proposed House substitute (H-3), see Blue Book.) **HB 5317** Rep. Lowe Natural resources; mining; forced pooling of mineral rights; require person requesting pool to control at least 51% of mineral rights. Amends sec. 61513 of 1994 PA 451 (MCL 324.61513). (Reported by Committee on Forestry and Mineral (For proposed House substitute (H-1), see Blue Book.) ____ 60 _____ HB 4742 Rep. Profit Use tax; exemptions; property sold to contractor for remodeling or construction of a nonprofit hospital or public college or university; provide exemption. Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 4m. (Reported by Committee on Tax Policy.) (For proposed House substitute (H-2), see Blue Book.) — 61 —— **HB** 5053 Rep. Profit Sales tax; exemptions; tangible personal property purchased and affixed to a public college or university; exempt and define hospital. Amends sec. 1 of 1933 PA 167 (MCL 205.51). (Reported by Committee on Tax Policy.) (For proposed House substitute (H-1), see Blue Book.) ____ 62 _____ **HB** 5212 Rep. Profit Sales tax; exemptions; materials used in industrial laundry operations; provide for. Amends secs. 1, 4a & 9 of 1933 PA 167 (MCL 205.51 et (Reported by Committee on Tax Policy.) ____ 63 _____ **HB** 5213 Rep. Profit Sales tax; exemptions; materials used in commercial laundry operations; provide for.

Amends secs. 2, 4 & 10 of 1937 PA 94 (MCL 205.92 et

(Reported by Committee on Tax Policy.)

SECOND READING

HB 5252 Rep. Alley 64

Sales tax; exemptions; exemption on certain burial items for veterans; provide for.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4h.

(Reported by Committee on Tax Policy.)

_____ 65 _____

HB 5315 Rep. Profit

Taxation; other; tax analysis reports; require to include dynamic forecasting.

Amends sec. 18 of 1941 PA 122 (MCL 205.18).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

HB 4330 Rep. Varga

Gaming; bingo; charitable gaming act; create.

Creates new act & repeals 1972 PA 382 (MCL 432.101 - 432.120).

(Reported by Committee on Regulatory Affairs.) (For proposed House substitute (H-4), see Blue Book.)

HB 4475 Rep. Hale

Occupations; business licensing and regulation; tattoo parlors; license and regulate.

Amends secs. 13101 & 13102 of 1978 PA 368 (MCL 333.13101 & 333.13102) & adds secs. 13104, 13105, 13106, 13107, 13108 & 13109.

(Reported by Committee on Regulatory Affairs.)

HB 5086 Rep. Anthony

Gaming; electronic; gambling devices in certain establishments; allow.

Amends sec. 3 of I.L. of 1996 (MCL 432.203).

(Reported by Committee on Regulatory Affairs.)

69

HB 5087 Rep. Anthony

Gaming, electronic; gambling devices in certain establishments; allow.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 310c.

(Reported by Committee on Regulatory Affairs.)

(For proposed House amendments, see House Journal No. 90, p. 2343.)

____ 70 ____

HB 5127 Rep. Jaye

Gaming; lottery; disbursement of lottery winnings; require option of lump sum or annuity.

Amends sec. 25 of 1972 PA 239 (MCL 432.25).

— 71 —

(Reported by Committee on Regulatory Affairs.)

(For proposed House amendment, see House Journal No. 90, p. 2343.)

HB 5304 Rep. Hammerstrom

Construction; equipment; requirements for playground equipment safety standards; revise.

Amends sec. 4 of 1997 PA 16 (MCL 408.684).

(Reported by Committee on Regulatory Affairs.)

— 72 ——

HB 5300 Rep. Brewer

Health; code; Michigan biologic products institute and Michigan biologic products commission; extend lives of both entities for 2 years.

Amends title and secs. 3 & 9 of 1996 PA 522 (MCL 333.26333 & 333.26339) & adds secs. 3a & 3b.

(Reported by Committee on House Oversight and Ethics,)

(Read a second time; postponed temporarily December 9.)

(For proposed House substitute (H-1), see Blue Book.)

— 73 ——

HB 5351 Rep. Schauer

Education; teachers; waiver of fee for a Michigan professional teaching certificate for certain individuals holding certification by national board for professional teaching standards; provide for.

Amends sec. 1538 of 1976 PA 451 (MCL 380.1538).

(Reported by Committee on Education.)

HB 5316 Rep. Lowe

Natural resources; mining; mineral property owners subject to forced pooling; allow to choose venue between county where rights are located or Ingham county.

Amends secs. 61501 & 61517 of 1994 PA 451 (MCL 324.61501 & 324.61517).

(Reported by Committee on Forestry and Mineral Rights.)

(For proposed House substitute (H-3), see Blue Book.)

— 75 ———

HB 5346 Rep. Callahan

Occupations; pawnbrokers; requirement to ascertain ownership when buying certain items; establish for pawnshops.

Amends sec. 5 of 1917 PA 273 (MCL 446.205).

(Reported by Committee on Regulatory Affairs.)

— 76 ——

HB 4259 Rep. Alley

Natural resources; gas and oil; disclosure of postproduction costs for oil and gas leases for private landowner; require.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 61503a.

(Reported by Committee on Forestry and Mineral Rights.)

77

SB 280 Sen. Van Regenmorter

Criminal procedure; probation; requirement that mandatory life term of probation be imposed for certain controlled substance violations; eliminate in public health code.

Amends secs. 7401 & 7403 of 1978 PA 368 (MCL 333.7401 & 333.7403).

(Reported by Committee on Judiciary.)

(For proposed House amendments, see House Journal No. 92, p. 2449.)

(For Senate substitute (S-2), see Blue Book.)

SECOND READING

— 78 ——

SB 281 Sen. Rogers

Corrections; parole; parole of individuals convicted of certain controlled substance violations; allow under certain circumstances.

Amends secs. 34 & 36 of 1953 PA 232 (MCL 791.234 & 791.236).

(Reported by Committee on Judiciary.)

(For proposed House amendments, see House Journal No. 92, p. 2450.)

(For Senate substitute (S-4), see Blue Book.)

HB 5280 Rep. Dobronski

Communications; telephone; telephone companies switching local or long distance service; require consent from customer.

Amends 1991 PA 179 (MCL 484.2101 - 484.2604) by adding sec. 202a.

(Reported by Committee on Public Utilities.) (For proposed House substitute (H-2), see Blue Book.)

- 80 ------

SB 480 Sen. Gougeon

Occupations; construction; persons constructing a natural gas pipeline or facility; establish a professional code of conduct.

Amends 1929 PA 9 (MCL 483.101 - 483.120) by adding secs. 1a & 1b.

(Reported by Committee on Public Utilities.) (For Senate substitute (S-1), see Blue Book.)

- 81 ---

HB 4028 Rep. Ciaramitaro

Consumer credit and protection; unfair trade practices; consumer contracts; provide for readability of consumer contracts.

(Reported by Committee on Consumer Protection.) (For proposed House substitute (H-1), see Blue Book.)

SB 481 Sen. Conroy

Property; conveyances; certain state owned property in Genesee county; provide for conveyance.

(Reported by Committee on Regulatory Affairs.)

(For proposed House amendments, see House Journal No. 93, p. 2485.)

(For Senate substitute (S-1), see Blue Book.)

HB 5113 Rep. Profit

Sales tax; exemptions; aircraft and aircraft parts purchased for use in a trade free zone; exempt.

Amends 1933 PA 167 (MCL 205.51 - 205.78) by adding sec. 4p.

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

HB 5358 Rep. Profit

Taxation; state real estate transfers; tax exemption for certain religious establishments; provide for.

Amends sec. 6 of 1993 PA 330 (MCL 207.526).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

____ 85 _____

SB 698 Sen. Schuette

Economic and industrial development; tax increment financing; definition of and reference to certain other protected obligations; modify.

Amends secs. 1 & 12a of 1980 PA 450 (MCL 125.1801 & 125.1812a).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

------ 86 ------

SB 699 Sen. Schuette

Economic and industrial development; downtown development authorities; definition of and reference to certain other protected obligations; modify.

Amends secs. 1 & 13b of 1975 PA 197 (MCL 125.1651 & 125.1663b).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

------ 87 ------

SB 705 Sen. Gougeon

Single business tax; credit; tax credit for donations to food banks, homeless shelters, and community foundations; eliminate sunset.

Amends sec. 38c of 1975 PA 228 (MCL 208.38c).

(Reported by Committee on Tax Policy.)

(For proposed House substitute (H-1), see Blue Book.)

(For Senate substitute (S-3), see Blue Book.)

— 88 **———**

HB 5290 Rep. Tesanovich

Traffic control; violations; failure to stop for school bus; increase fines.

Amends sec. 907 of 1949 PA 300 (MCL 257.907).

(Reported by Committee on Transportation.)

HB 4730 Rep. Profit

Environmental protection; recycling; use of plastic bags for composting; prohibit.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11521a.

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-6), see Blue Book.)

- 9

HB 5301 Rep. Alley

Environmental protection; underground storage tanks; contracting assistance for cleanups; provide for.

Amends sec. 21507 of 1994 PA 451 (MCL 324.21507) & adds sec. 21308b & pt. 216.

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-2), see Blue Book.)

SECOND READING

— 91 ———

HB 5302 Rep. Middaugh

Environmental protection; underground storage tanks; qualified consultants; eliminate requirement to use for cleanups.

Amends secs. 21302, 21304, 21304a, 21307, 21307a, 21308a, 21309a, 21310a, 21311a, 21312a, 21313a, 21314a & 21315 of 1994 PA 451 (MCL 324.21302 et seq.).

(Reported by Committee on Conservation, Environment and Recreation.)

(For proposed House substitute (H-1), see Blue Book.)

92 —

SB 636 Sen. Schwarz

Liquor; licenses; prohibition against law enforcement officer or spouse holding license; revise exception.

Amends sec. 18 of 1933 (Ex Sess) PA 8 (MCL 436.18).

(Reported by Committee on Regulatory Affairs.) (For Senate substitute (S-1), see Blue Book.)

— 93 ——

SB 682 Sen. Byrum

Liquor; licenses; prohibition against law enforcement officer or spouse holding license; revise exception.

Amends sec. 18 of 1933 (Ex Sess) PA 8 (MCL 436.18).

(Reported by Committee on Regulatory Affairs.) (For Senate substitute (S-3), see Blue Book.)

— 94 ———

HB 4038 Rep. Profit

Social services; benefits; irrevocable education account; require family independence agency to disregard for purposes of eligibility for family independence assistance.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57i.

(Reported by Committee on Human Services and Children.)

(For proposed House substitute (H-2), see Blue Book.)

95 —

HB 4195 Rep. Scott

Social services; benefits; determination of eligibility for certain self-employed individuals; clarify.

Amends sec. 57a of 1939 PA 280 (MCL 400.57a).

(Reported by Committee on Human Services and Children.)

 $(For\ proposed\ House\ substitute\ (H-1), see\ Blue\ Book.)$

----- 96 ------

HB 4786 Rep. Price

Social services; benefits; individual development account for first-time acquisition of principal residence; establish.

Amends 1939 PA 280 (MCL 400.1 - 400.119b) by adding sec. 57k.

(Reported by Committee on Human Services and Children.)

HB 4441 Rep. Hammerstrom

Counties; other; recording requirements; revise.

Amends sec. 2567 of 1961 PA 236 (MCL 600.2567) & adds sec. 2567b.

(Reported by Committee on Local Government.) (For proposed House substitute (H-3), see Blue Book.)

HB 4503 Rep. Brackenridge

Counties; boards and commissions; certain powers of county boards of commissioners; revise to allow for a majority vote.

Amends secs. 10b & 11 of 1851 PA 156 (MCL 46.10b & 46.11) & repeals sec. 12 of 1851 PA 156 (MCL 46.12).

(Reported by Committee on Local Government.) (For proposed House substitute (H-1), see Blue Book.)

— 99 ———

520 Sen. Shugars SB

Libraries; district; certain areas excluded from proposed district library district; clarify.

Amends sec. 3 of 1989 PA 24 (MCL 397.173).

(Reported by Committee on Local Government.) (For proposed House substitute (H-3), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

SB 664 Sen. Bullard

Local government; other; procedures for investments of surplus funds; revise.

Amends title & secs. 1 & 3 of 1943 PA 20 (MCL 129.91 & 129.93); adds secs. 5 & 6 & repeals secs. 2 & 4 of 1943 PA 20 (MCL 129.92 & 129.94).

(Reported by Committee on Local Government.) (For proposed House substitute (H-3), see Blue Book.) (For Senate substitute (S-1), see Blue Book.)

97 Sen. Byrum

Crimes; explosives; certain violations involving explosives or incendiary devices; provide for increased penalties. Amends secs. 200, 201, 204, 204a, 205, 205a, 206, 207, 210 & 211 (MCL 750.200 et seq.).

(Reported by Committee on Judiciary.)

(For proposed House substitute (H-2), see Blue Book.) (For Senate substitute (S-4), see Blue Book.)

HB 4060 Rep. Bobier

Natural resources; gas and oil; development of state owned mineral rights; preclude in certain circumstances.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 503b.

(Reported by Committee on Forestry and Mineral Rights.)

(For proposed House substitute (H-2), see Blue Book.)

____ 103 _____

HB 4681 Rep. Law

Health; other; interdisciplinary advisory committee on pain and symptom management; revise membership, name, and duties.

Amends sec. 16204a of 1978 PA 368 (MCL 333.16204a).

(Reported by Committee on Health Policy.)

(For proposed House substitute (H-5), see Blue Book.)

SECOND READING

— 104 ———

HB 4682 Rep. Crissman

Health facilities; hospitals; hospital providing a comprehensive, multidisciplinary pain management program; prescribe certain standards and penalties, and provide for statement of legislative intent.

Amends sec. 20165 of 1978 PA 368 (MCL 333.20165) & adds secs. 16204b & 20210.

(Reported by Committee on Health Policy.) (For proposed House substitute (H-3), see Blue Book.)

_____ 105 ______

HB 4683 Rep. Griffin

Occupations; physicians; use of controlled substances to treat intractable pain; provide for limited immunity from liability.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding secs. 17017 & 17517.

(Reported by Committee on Health Policy.) (For proposed House substitute (H-5), see Blue Book.)

____ 106 _____

HB **4684** Rep. Gire

Insurance; health; coverage for evaluation and treatment of intractable pain and hospice care; require statement in policy or certificate of whether or not coverage is provided.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406j.

(Reported by Committee on Health Policy.) (For proposed House substitute (H-3), see Blue Book.)

—— 107 ——

HB 4685 Rep. Hammerstrom

Insurance; health maintenance organizations; coverage for evaluation and treatment of intractable pain and hospice care for the terminally ill; require statement in contract as to whether or not coverage is provided.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 21053d.

(Reported by Committee on Health Policy.) (For proposed House substitute (H-3), see Blue Book.)

____ 108 _____

HB **4686** Rep. Profit

Insurance; health care corporations; coverage for evaluation and treatment of intractable pain and hospice care; require statement in certificate as to whether or not coverage is provided.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 418.

(Reported by Committee on Health Policy.) (For proposed House substitute (H-3), see Blue Book.)

_____ 109 _____

SB 741 Sen. Gast

Courts; funding; act allowing collection of court-ordered fines, costs, and fees; eliminate sunset.

Amends 1993 PA 316 (MCL 12.131 - 12.140) by repeal-

(Reported by Committee on Appropriations.)

MESSAGES FROM THE GOVERNOR

— 110 —

HB 4052 Rep. Anthony

Retirement; state police; retirement benefits for certain conservation officer retirants and beneficiaries of those retirants; provide for a minimum benefit and a 1-time supplement under certain circumstances and increase the minimum duty death retirement allowances under certain circumstances.

Amends sec. 27, 1943 PA 240 (MCL 38.27) & adds secs. 48a & 48b.

(Vetoed by Governor on July 1; passed for day July 2.)

(For veto message, see House Journal No. 63, p. 1570.)

- 111 -----

HB 4306 Rep. Johnson

Appropriations; community health; department of community health; provide for fiscal year 1997-1998.

(Line items vetoed by Governor on July 31; passed for day September 23.)

(For line items veto message, see House Journal No. 70, p. 1908.)

HB 4310 Rep. Oxender

Appropriations; school aid; school aid appropriation; provide for fiscal year 1997-1998.

- 112 -

Amends secs. 3, 6, 6a, 11, 17b, 20, 20c, 20d, 23, 24, 25, 26, 31a, 36, 39, 41, 51a, 52, 53a, 54, 56, 57, 58, 61a, 62, 74, 81, 94, 99, 101, 107, 111, 124, 147, 151, 167 & 169a of 1979 PA 94 (MCL 388.1603 et seq.); adds secs. 20k, 26a, 31b, 31c, 67, 68, 112, 166d & 166e & repeals secs. 11b, 20h, 20i, 95 & 108 of 1979 PA 94 (MCL 388.1611b et seq.) & 1974 PA 97 (MCL 388.1311 - 388.1319).

(Line items vetoed by Governor on August 1; motion to override section 31(a) failed; balance of line items passed for day September 23.)

(For line items veto message, see House Journal No. 70, p. 1909.)

- 113 —

HB 4049 Rep. Anthony

Natural resources; other; prescribed burns; require department of natural resources to provide notification and a public hearing prior to a burn.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 518.

(Vetoed by Governor on December 1; passed for day December 2.)

(For veto message, see House Journal No. 92, p. 2443.)

- 114 -

HB 4509 Rep. Dobb

Use tax; exemptions; uncollectible account exemption for telecommunication services; provide for.

Amends 1937 PA 94 (MCL 205.91 - 205.111) by adding sec. 8.

(Vetoed by Governor on December 1; passed for day December 2.)

(For veto message, see House Journal No. 92, p. 2443.)

PUBLIC HEARINGS

Committee on Education Subcommittee on Violence in the Schools - regarding violence in the schools:

Monday, December 15, 5:00 p.m., Gaylord High School Auditorium, 90 Livingstone Boulevard, Gaylord, Michigan

Tuesday, January 13, 1998, 5:00 p.m., Murray-Wright High School, 2001 W. Warren, Detroit, Michigan

Monday, January 26, 1998, 5:00 p.m., Saginaw International Centre, 310 Johnson Street, Saginaw, Michigan

Monday, February 2, 1998, 5:00 p.m., Mawby Center, Kellogg Community College, 450 North Ave., Battle Creek, Michigan

Wednesday, February 4, 1998, 5:00 p.m., Muskegon Area Intermediate School District, 630 Harvey Street, Muskegon, Michigan

Wednesday, February 11, 1998, 5:00 p.m., Room 351, Capitol Building, regarding violence in the schools

NOTICES

Motion to discharge **House Joint Resolution W** from the Committee on Constitutional and Civil Rights by Rep. Kaza passed for day July 2.

Motion to discharge **House Joint Resolution C** from the Committee on Judiciary by Rep. Raczkowski passed for day October 30.

STANDING COMMITTEE MEETINGS

Conservation, Environment and Recreation - Wednesday, December 10, 9:00 a.m., Rooms 425 and 426, Capitol Building

Consumer Protection - Wednesday, December 10, 9:00 a.m., Room 427, Capitol Building

Tax Policy - Wednesday, December 10, 9:00 a.m., Room 428, Capitol Building

Transportation - Wednesday, December 10, 9:00 a.m., Room 424, Capitol Building

STATUTORY COMMITTEE MEETING

House Fiscal Agency Governing Board - Wednesday, December 10, 1:00 p.m. or after committees are given leave by the House to meet, whichever time is later, Room 162, Capitol Building